IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

TODD PARRISH,)	
Plaintiff,)	
)	2:10cv1309
V.)	Electronic Filing
)	
COMMISSIONER OF)	
SOCIAL SECURITY,)	
)	
Defendant.)	

MEMORANDUM ORDER

February 23, 2012

On October 7, 2010, the above captioned case was initiated by the filing of a Complaint by Plaintiff, Todd Parrish, (ECF No. 1) seeking judicial review of the final determination of the Commissioner of Social Security denying his application for Supplemental Security Income and Disability Insurance Benefits. The action was referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and the Local Rules of Court for Magistrate Judges.

Following cross-motions for summary judgment, the Magistrate Judge filed a Report and Recommendation on December 13, 2011 (ECF No. 17) recommending that the motion for summary judgment filed on behalf of Plaintiff be denied and that the motion for summary judgment filed on behalf of the Commissioner of Social Security be granted. On January 7, 2012, Plaintiff filed Objections to the Report and Recommendation (ECF No. 20). Plaintiff's objections do not undermine the recommendation of the Magistrate Judge.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, and the Objections thereto, the following order is entered:

ORDER OF COURT

AND NOW, upon consideration of the cross-motions for summary judgment filed on behalf of the parties,

IT IS HEREBY ORDERED that Plaintiff's Motion for Summary Judgment (ECF No. 10) is **DENIED**, and the Motion for Summary Judgment (ECF No. 12) filed on behalf of the Commissioner of Social Security's is **GRANTED**. The final decision of the Commissioner of Social Security is **AFFIRMED**.

IT IS FURTHER ORDERED that the Report and Recommendation of the Magistrate Judge (ECF No. 17) is adopted as the Opinion of this Court.

s/ DAVID STEWART CERCONE
David Stewart Cercone
United States District Judge

cc. Karl E. Osterhout, Esq. Michael Colville, AUSA

(Via CM/ECF Electronic Mail)